

**REAL ESTATE APPRAISERS BOARD
MINUTES
MADISON, WISCONSIN
FEBRUARY 28, 2001**

PRESENT: Paul "Rick" Vozar, LaMarr Franklin, and Mary Reavey, by teleconference, and Patrick Buckett; Lill Hauschild (by teleconference from 10:59 to 11:14)

EXCUSED: Gary Cuskey

STAFF PRESENT: Ruby Jefferson-Moore, Legal Counsel and Becky Fry; Alfred Hall Jr., Darwin Tichenor, and Division of Enforcement staff, for portions of the meeting

GUESTS: Debbie Conrad, WRA

CALL TO ORDER

Rick Vozar, Chair, called the meeting to order at 9:36 a.m., upon confirmation that the public notice was timely given. A quorum of four members was present.

AGENDA

MOTION: Patrick Buckett moved, seconded by LaMarr Franklin, to adopt the agenda as published. Motion carried unanimously.

MINUTES (10/18/00)

MOTION: Patrick Buckett moved, seconded by LaMarr Franklin, to approve the minutes as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Bureau Director's Report

Mr. Hall informed the Board that Deputy Secretary William Conway would be the Acting Secretary until a new Secretary is appointed.

- **Board Roster**

Noted.

- **2001 Meeting Dates**

Noted.

- **4/01 Regulatory Digest Draft**

Mr. Hall reviewed the digest draft. He requested that any comments or concerns be relayed to him by the next day.

Mr. Hall will include the November and December USPAP Q & A in the Regulatory Digest.

- **To-Pass Folder**

Information was circulated in the To-Pass Folder and duly noted.

LEGISLATIVE ISSUES

None.

ADMINISTRATIVE RULES

Update of CR 00-097 re: 2000 Edition of the Uniform Standards of Professional Appraisal Practice (USPAP)

Ruby Jefferson-Moore will review the existing rules for any necessary changes, relating to recent changes adopted by AQB. She will provide a draft of any necessary changes at the next meeting.

Ms. Jefferson-Moore recommended the Board review the current regulation and licensing rules and advise her of any concerns or comments.

BOARD MEMBER ACTIVITY

Election of Officers

MOTION: Mary Reavey moved, seconded by LaMarr Franklin, to nominate and re-elect the present slate of officers to include Rick Vozar, Chair; LaMarr Franklin, Vice-Chair; and Patrick Buckett, Secretary. Motion carried unanimously.

APPRAISAL FOUNDATION

Permission to Print the 2001 USPAP

Ruby Jefferson-Moore informed the Board that the request had been sent for permission to print the USPAP.

Summary of Recent Meetings (2/1/01)

Noted.

Appraisal Qualifications Board

- **Changes to the Qualifying and Continuing Education Sections of the Real Property Appraiser Qualification Criteria and Interpretations of the Criteria**

Ruby Jefferson-Moore informed the Board that the changes had been adopted and would go into effect 1/1/03; however, she recommended waiting on getting the information out to appraisers to avoid confusion for renewals. She indicated that these changes would affect the 2004 renewal period.

- **USPAP Instructor Certification Program – Outline of Major Provisions**

Noted.

Appraisal Standards Board

- **Concept Paper – Confidentiality As It Relates to USPAP (12/20/00)**

Ruby Jefferson-Moore explained that the deadline for submitting comments was January 31, 2001, and an exposure draft was to be released by mid February.

Ms. Jefferson-Moore will send the Board the exposure draft of proposed changes to the 2001 edition of USPAP and the final rule of the Federal Trade Commission relating to the privacy of consumer financial information. Mary Reavey and Rick Vozar will review the draft for any comments.

- **Concept Paper – Segmented Publication of the USPAP (11/17/00)**

Ruby Jefferson-Moore advised that ASB decided not to proceed with the publication of discipline-specific versions of the USPAP at this time.

- **Meeting Summary – 10//27/00 & 1/09/01**

Ruby Jefferson-Moore pointed out that there would be an exposure draft to Standard Rule 6.

- **USPAP Q & A – November and December 2000**

Noted.

APPRAISAL SUBCOMMITTEE

Report of Field Audit

The Board discussed the two concerns that were identified with the audit review which include the implementation of a process to validate education claimed on appraiser licensing and certification applications and awarding credit toward fulfilling an applicant's education requirement for two or more courses that are substantially similar in content.

Mr. Hall assured the Board that currently individuals are required to provide supporting documentation as proof that pre-licensure and pre-certification courses have been successfully completed.

Ruby Jefferson-Moore pointed out that the Appraisal Subcommittee's emphasis was on qualifying education. She stated that, if the intention of the report was to validate continuing education courses, one of the two suggested methods: the submission of completion certificates or transcripts or the random audit of a meaningful sample of the education courses claimed by an appraiser via affidavit, would have to be implemented.

Ms. Jefferson-Moore addressed the issue of awarding credit for similar courses and assured the Board that she would draft a response to the Appraisal Subcommittee's concerns to be submitted by March 12, 2001.

ASSOCIATION OF APPRAISER REGULATORY OFFICIALS

Correspondence

- **AARO Survey on Investigators and Legal Seminars**

Noted.

- **TAFAC Update**

Noted.

- **Minutes – Improved USPAP Instructor Task Force**

Noted.

- **ASA Letter on Lender Pressure**

Ruby Jefferson-Moore addressed the issue of pressure that appraisers have been receiving from lenders and the possibility of proposed legislation. Rick Vozar informed the Board of a website, www.alamode.com, where appraisers can offer support regarding this issue.

- **Recap of Fall Conference**

Ruby Jefferson-Moore pointed out that the Appraisal Subcommittee had approved revisions to Statement 1, State Regulatory Structure and Independence of Functions, and Statement 10, Enforcement, to be effective January 1, 2001. Ms. Moore indicated that she would review the statements to see if rule changes were necessary and that she would send copies to the Board.

- **AARO Information (12/20/00)**

Noted.

- **Report of December 15 Meeting in Washington with Federal Regulators that Insure Loans**

Noted.

- **Correspondence to the Appraisal Foundation Requesting Sponsoring Investigator's Seminar**

Noted.

- **Response to Peter Barash Letter re: Temporary Practice Permits and Barash 11/3/00 Correspondence**

Ruby Jefferson-Moore addressed the concern of the temporary practice application system. She indicated that at this time Wisconsin has its own form and has decided not to participate in the online application for temporary practice. Ms. Jefferson-Moore will check the AARO link to DRL to assure temporary practice information is included on the site.

- **AARO Information (12/18/00)**

Noted.

- **Tentative Agenda for Spring Conference**

The spring conference will be held April 28 through May 1, 2001, in Atlanta, Georgia.

Mr. Hall polled the Board for information they are currently receiving from the association. He will order needed copies of USPAP.

- **Report on ASB Meeting (1/9/01) in Orlando**

Noted.

- **Sam Blackburn's Comments to the ASB**

Noted.

- **Correspondence re: Rep. Jan Schakowski in Support of HB 3901**

Noted.

- **AARO Information and Correspondence (11/17/00)**

Noted.

- **AARO Committee Assignments**

Noted.

- **Correspondence from Sponsoring Organizations**

Noted.

- **Correspondence from ASA**

Noted.

EXAMINATION ISSUES

Request for Proposals for National Examination

Rick Vozar informed the Board that he would be attending the Assessment Systems Inc. (ASI) exam development workshop held March 2 and 3, 2001, in Las Vegas, Nevada, to develop the new examinations.

Darwin Tichenor reviewed the process for submitting requests for proposals for the national examination.

Statutes and Rules Meeting Update

Darwin Tichenor informed the Board of the all-day meeting to be held at DRL on April 25, 2001. He encouraged the Board to recommend anyone who may be interested in participating in the workshop to review the state exam questions and statute and rules questions, to assure they are up to date with the current code and statutes.

PRACTICE ISSUES

None.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Mr. Hall addressed the issue of timeliness in providing the Board with information received from AARO. The Board suggested that time sensitive information be mailed between meetings. It was agreed that the Board could meet on screening dates if action is required on issues.

The Board recommended LaMarr Franklin replace Gary Cuskey on the screening panel, based on Mr. Cuskey's current health situation. Mr. Hall will apprise appropriate individuals of this decision.

NEW BUSINESS

None.

RECESS TO CLOSED SESSION

MOTION: Patrick Buckett moved, seconded by LaMarr Franklin, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(b) and (f), Wis. Stats.: to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, monitoring reports, deliberations on stipulations that may be signed after printing of the agenda, pending applications, and disciplinary proceedings. Motion carried by a roll call vote: LaMarr Franklin-yes; Patrick Buckett-yes; Mary Reavey-yes; and Rick Vozar-yes.

Closed Session convened at 10:40 a.m.

The Board deliberated on case status reports, a case closing and a final decision and order.

Lill Hauschild joined the meeting by teleconference from 10:59 to 11:14 during deliberation of a case closing.

RECONVENE IN OPEN SESSION

By consensus, the Board reconvened in open session at 11:20 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

CASE CLOSING

MOTION: Patrick Buckett moved, seconded by LaMarr Franklin, to close 00 APP 006, for P1. There may have been a minor or technical violation but a decision was made not to commence formal disciplinary action because the incident in question was not seriously harmful to the public. Motion carried unanimously.

FINAL DECISION AND ORDER

MOTION: Mary Reavey moved, seconded by LaMarr Franklin, to accept the Final Decision and Order relating to 99 APP 029, Helen R. Patenaude. Motion carried with Rick Vozar, case advisor, abstaining.

SUCH OTHER ITEMS AS AUTHORIZED BY LAW

None.

ADJOURNMENT

MOTION: LaMarr Franklin moved, seconded by Patrick Buckett, to adjourn the meeting at 11:22 a.m. Motion carried unanimously.

Next Meeting: April 25, 2001